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Patent  
Attorney Docket No. 033819-082

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

Joel M. Blatt et al.

Application No.: 10/826,880

Filing Date: April 19, 2004

Title: DRY REAGENT PARTICLE ASSAY AND DEVICE HAVING MULTIPLE TEST ZONES AND METHOD THEREFOR

Group Art Unit: 1641

Examiner:

Confirmation No.: 9880

**FIRST  
INFORMATION DISCLOSURE STATEMENT  
TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed is a FIRST Information Disclosure Statement and accompanying form PTO-1449 for the above-identified patent application.

- ☒ No additional fee for submission of an IDS is required.
- ☐ The fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e), and the fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) are also enclosed.
- ☐ Charge \_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due.
- ☐ A check in the amount of \_\_\_\_\_ is enclosed for the fee due.
- ☐ Charge \_\_\_\_\_ to credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

By David R. Heckadon  
David R. Heckadon  
Registration No. 50,184

Date: Sept 28/04



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of	)	
Joel M. Blatt et al.	)	Group Art Unit: 1641
Application No.: 10/826,880	)	Examiner: Unassigned
Filed: April 19, 2004	)	Confirmation No.: 9880
For: DRY REAGENT PARTICLE ASSAY	)	
AND DEVICE HAVING MULTIPLE	)	
TEST ZONES AND METHOD	)	
THEREFOR	)	

**FIRST INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, the accompanying information is being submitted in accordance with 37 C.F.R. §§ 1.97 and 1.98.

Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed. However, copies of the listed U.S. patents and U.S. patent application publications are not enclosed since it is no longer required according to the July 11, 2003 waiver of the requirement for copies of cited U.S. patents and U.S. patent application publications in national patent applications filed after June 30, 2003 and international applications entering the national stage under 35 U.S.C. § 371 after June 30, 2003.

**U.S. Patent Documents**

4,094,647	Deutsch et al.	06/13/78
4,168,146	Grubb et al.	09/18/79
4,235,601	Deutsch et al.	11/25/80
4,361,537	Deutsch et al.	11/30/82
4,376,110	David et al.	03/08/83
5,087,556	Ertinghausen	02/11/92

Non-Patent Literature Documents

Daviaud et al., Clin. Chem. 39:53-59 (1993)

Muller, C. et al., J. Imm. Methods, 37, 185-190

Pradella et al., Clin. Chem. 36:1994-1995 (1990)

Roth, J., "Techniques in Immunocytochemistry," Academic Press, pp. 219-284

Zuk et al., Clin. Chem. 31:1144-1150 (1985)

The documents are being submitted within three (3) months of the filing or entry of the national stage of this application or before the first Office Action on the merits, whichever is later. Since these documents are being filed within the time period set forth in 37 C.F.R. § 1.97(b), no fee or statement is required.

The Examiner's attention is directed to copending application, number 08/512,844, naming Joel M. Blatt and Michael P. Allen as inventors, filed on August 9, 1995 and the documents cited therein, a copy of filed IDS is enclosed.

☐ In accordance with MPEP § 609 III C(2) (August 2001, page 600-131), the Office is requested to return a copy of this Information Disclosure Statement with the Examiner's initials adjacent to this paragraph indicating that this copending application has been considered. By citation to the copending application, confidentiality is not waived and the Office is requested to maintain the confidentiality of the copending application under 35 U.S.C. § 122.

To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date

Sept 28/04

By:

David R. Heckadon

David R. Heckadon  
Registration No. 50,184

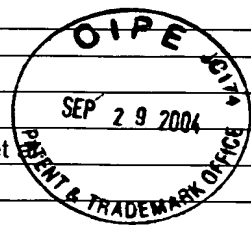
P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(650) 622-2300

Complete if Known

**First  
INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

Sheet 1 of 2

Application Number	10/826,880
Filing Date	April 19, 2004
First Named Inventor	Joel M. Blatt et
Examiner Name	
Attorney Docket Number	033819-082



**U.S. PATENT DOCUMENTS**

Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (MM-DD-YYYY)
	4,094,647	435/4	Deutsch et al.	06/13/78
	4,168,146	435/7.92	Grubb et al.	09/18/79
	4,235,601	436/5.4	Deutsch et al.	11/25/80
	4,361,537	422/56	Deutsch et al.	11/30/82
	4,376,110	435/5	David et al.	03/08/83
	5,087,556	435/7.9	Ertinghausen	02/11/92

**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Document Number	Kind Code (if known)	Country	Date of Publication (MM-DD-YYYY)	STATUS						
					Translation	Partial Translation	Eng. Lang. Summary	Search Report	IPER	Abstract	Cited in Spec

**NON-PATENT LITERATURE DOCUMENTS**

Examiner Initials	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	Daviaud et al., Clin. Chem. 39:53-59 (1993)
	Muller, C. et al., J. Imm. Methods, 37, 185-190
	Pradella et al., Clin. Chem. 36:1994-1995 (1990)
	Roth, J., "Techniques in Immunocytochemistry," Academic Press, pp. 219-284
	Zuk et al., Clin. Chem. 31:1144-1150 (1985)

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.